

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEDRIC EUGENE JOHNSON,

Plaintiff,

v.

S. PICKERING, *Accounting Specialist at
KVSP; et al.*,

Defendants.

No. 1:20-cv-00039-DAD-BAM (PC)

ORDER DISMISSING ACTION DUE TO
PLAINTIFF'S FAILURE TO PAY THE
REQUIRED FILING FEE AND FAILURE TO
OBEY COURT ORDER

(Doc. No. 12)

Plaintiff Sedric Eugene Johnson is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 16, 2020, the court adopted the assigned magistrate judge's findings and recommendations and denied plaintiff's application to proceed *in forma pauperis*. (Doc. Nos. 7, 12.) The court directed plaintiff to pay the \$400.00 filing fee within twenty-one days if he wished to proceed with this action and warned him that failure to pay the filing fee within the specified time would result in dismissal of this action. (Doc. No. 12.)

Although plaintiff's deadline to pay the filing fee was extended to April 13, 2020 due to plaintiff's change of his address of record, (*see* Doc. No. 13), that deadline elapsed, and plaintiff has still not paid the required filing fee. As a result, this action cannot proceed and must be

1 dismissed. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992).

2 Accordingly:

- 3 1. This action is dismissed without prejudice due to plaintiff's failure to pay the
- 4 required filing fee and failure to obey court order; and
- 5 2. The Clerk of the Court is directed to close this action.

6 IT IS SO ORDERED.

7 Dated: May 7, 2020

8 
UNITED STATES DISTRICT JUDGE